

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

LARRY LLOYD,

Plaintiff,

v.

C/O PAYNE, *et al.*,

Defendants.

Case No. C06-5365 RJB/KLS

ORDER GRANTING PLAINTIFF'S
MOTION FOR EXTENSION OF
TIME TO RESPOND TO
DEFENDANTS' MOTION FOR
SUMMARY JUDGMENT

Presently noted for consideration on September 14, is Defendants' motion for summary judgment, seeking dismissal of Plaintiff's claims. (Dkt. # 43). Plaintiff requests an extension of time until October 14, 2007 to respond to Defendants' motions for summary judgment. (Dkt. # 49). Plaintiff states that he has been unable to complete his response due to his continued incarcerations, relocation, and obtaining new employment. (Dkt. # 50). However, Plaintiff states that his response is three-quarters complete and that he will meet the extended deadline, if it is granted. (*Id.*).

Defendants oppose the requested extension on the grounds that Plaintiff's continued incarcerations are of his own making and that he has failed to articulate what facts, if any, he will pursue in his proposed time-extension, or how those facts will create a genuine issue of material fact, consistent with Fed. R. Civ. P. 56(f).

1 The Court finds that there is no showing of prejudice to Defendants by the short continuance
2 requested and that Plaintiff's motion for continuance (Dkt. # 49) is, therefore, **GRANTED**; Plaintiff
3 may file his response to the motion for summary judgment on or before **October 15, 2007**. The
4 Clerk of the Court is directed to **re-note** Defendants' motion for summary judgment (Dkt. # 43) for
5 **October 26, 2007**. Defendants may file a reply to Plaintiff's response on **October 26, 2007**.

6 The Clerk is directed to send copies of this order to Plaintiff and counsel for Defendants.

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8 DATED this 17th day of September, 2007.

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12 Karen L. Strombom
13 United States Magistrate Judge
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